

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE APPLICATION OF ZOUZAR BOUKA;
VISION INDIAN OCEAN S.A.;
AND VIMA REAL ESTATE S.A.R.L.
FOR AN ORDER DIRECTING DISCOVERY FROM
PAUL HINKS;
SYMBION POWER SERVICES U.S., INC.;
SYMBION POWER LLC;
SYMBION POWER HOLDINGS LLC;
SYMBION POWER AFRICA, LLC; AND
SYMBION ENERGY HOLDINGS LTD.

PURSUANT TO 28 U.S.C. § 1782

Case No. 22 Misc. _____

**DECLARATION OF KIMBERLY GULINO IN SUPPORT OF EX PARTE
APPLICATION FOR AN ORDER TO CONDUCT DISCOVERY FOR USE IN A
FOREIGN PROCEEDING PURSUANT TO 28 U.S.C. § 1782**

1. I am a paralegal at Steptoe & Johnson LLP. I make this Declaration to place before the Court certain publicly-available documents.
2. Attached hereto as **Exhibit 1** is a true and correct copy of the “About Symbion” page, as downloaded from Symbion’s website at www.symbion-power.com/about-symbion/.
3. Attached hereto as **Exhibit 2** is a true and correct copy of the “Leadership” page, as downloaded from Symbion’s website at www.symbion-power.com/leadership/.
4. Attached hereto as **Exhibit 3** is a true and correct copy of the order of the United States Court of Appeals for the District of Columbia Circuit in *Venco Imtiaz Constr. Co. v. Symbion Power LLC*, as downloaded from the Court’s website.
5. Attached hereto as **Exhibit 4** is a true and correct copy of an order of the United States District Court for the Southern District of New York in *RSS Judgment Enforcement LLC*

v. Symbion Power Tanzania Ltd., et al., No. 1:21-cv-04331-LAK, as downloaded from the Court's electronic docket.

6. Attached hereto as **Exhibit 5** is a true and correct copy of a Verified Complaint filed in the Delaware Court of Chancery in *Hoets v. Hart Security Holdings, Ltd.*, No. 2019-0426, as downloaded from Westlaw Dockets.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an Affidavit of Paul Hinks in *RSS Judgment Enforcement LLC v. Symbion Power Tanzania Ltd., et al.*, No. 1:21-cv-04331-LAK, ECF No. 65 (S.D.N.Y. Jun. 23, 2021), as downloaded from the Court's electronic docket.

8. Attached hereto as **Exhibit 7** is a true and correct copy of a Verified Complaint filed in the Supreme Court of the State of New York, New York County, in *Kurtzman v. Dokoupil, et al.*, Index No. 161149/2020, as downloaded from the Court's electronic docket.

9. Attached hereto as **Exhibit 8** is a true and correct copy of an Amended Answer filed in the United States District Court for the District of New Mexico in *Wilson v. Hinks*, No. 15-cv-00853 (D.N.M. Aug. 18, 2016), as downloaded from the Court's electronic docket.

10. Attached hereto as **Exhibit 9** is a true and correct copy of a declaration filed in the United States District Court for the Western District of North Carolina in *Pike Electric, LLC, et al. v. Symbion Power, LLC, et al.*, No. 3:12-cv-120 (W.D.N.C. Feb. 23, 2012), as downloaded from the Court's electronic docket.

11. Attached hereto as **Exhibit 10** is a true and correct copy of a Memorandum of Law filed in the United States District Court for the Southern District of New York in *RSS Judgment Enforcement LLC v. Symbion Power Tanzania Ltd., et al.*, No. 1:21-cv-04331-LAK, ECF No. 46 (S.D.N.Y. Jun. 18, 2021), as downloaded from the Court's electronic docket.

12. Attached hereto as **Exhibit 11** is a true and correct copy of a Verified Answer filed in the Supreme Court of the State of New York, New York County, in *Matthews v. Symbion Power LLC*, Index No. 653331/2019 (N.Y. Sup. Ct. Mar. 6, 2020), as downloaded from the Court's electronic docket.

13. Attached hereto as **Exhibit 12** is a true and correct copy of the "Contact Symbion" page, as downloaded from Symbion's website at www.symbion-power.com/contact-symbion/.

14. Attached hereto as **Exhibit 13** is a true and correct copy of an article in "Business Chief EMEA" entitled "EXCLUSIVE: Interview with Symbion Power CEO Paul Hinks," as downloaded from <https://businesschief.eu/leadership-and-strategy/exclusive-interview-symbion-power-ceo-paul-hinks>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in New York, NY on this 22nd day of March 2022.



Kimberly Gulino